

Article - Labor and Employment

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§5-320.

An application for a temporary variance shall:

- (1) specify the regulation or part of a regulation from which the temporary variance is sought;
- (2) contain a representation by the employer supported by the representation of qualified individuals with personal knowledge of the facts stated in the application that the employer is unable to comply with the regulation or part;
- (3) explain, in detail, each reason for the inability to comply;
- (4) describe each step that the employer has taken and will take:
 - (i) to comply with the regulation or part; and
 - (ii) until then, to protect employees against the hazard that the regulation or part covers;
- (5) state the date on which the employer took or will take each step listed under item (4) of this section;
- (6) state the date on which the employer expects to be able to comply with the regulation or part;
- (7) contain a certification that the employer has complied with § 5-321(a) of this subtitle;
- (8) state the manner in which the employer complied with § 5-321(a) of this subtitle; and
- (9) advise employees that any employee may ask the Commissioner to hold a hearing on the application.

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